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October 9, 2020

Via E-File and fax 212-805-7912

Hon. John G. Koeltl, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
Courtroom 14A
New York, New York 10007-1312

*The October 15 Conference
is canceled.
So ordered.
10/9/20 Dr. G. Koeltl
u.s.d.j.*

Re: Greater New York Mutual Insurance Co. v. Continental Casualty Company
Docket No. 19-cv-3268
Our File No. 11956000806

Dear Judge Koeltl:

The undersigned represents Defendant Continental Casualty Company ("Continental"). This letter is written jointly on behalf of Continental and Plaintiff Greater New York Mutual Ins. Co ("GNY").

Preliminarily, due to a longstanding plan to travel to see my sons on October 15, Continental respectfully requests a brief adjournment of the phone conference noticed for October 15. We have conferred with GNY counsel, and both sides are available all day on October 19 and 20, and all day October 27 and 29 for a conference, on whatever of those days best suits the Court.

Continental further wishes to advise the Court that it intends to file a Rule 60 motion with respect to the Court's Opinion and Order dated September 8, 2020, and has already advised GNY counsel of same, and we have agreed to a briefing schedule which will have the motion fully briefed by mid-November.

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We await the Court's instruction as to whether it wants to adjourn the October 15 conference without date in light of the motion practice, and/or which date and time the conference is rescheduled to according to the Court's preference.

Respectfully submitted,

Continental Casualty Company

by: /s/Marian Hertz

cc: **Via E-File**
Michael Flemming, Esq.